

## STATE AND LOCAL NONCONSTRUCTION PROGRAMS

OMB Approval No. 20-10100

<b>FEDERAL ASSISTANCE</b>		<b>2. APPLICANT'S APPLICATION</b>		<b>3. STATE APPLICATION IDENTIFIER</b>		<b>4. NUMBER</b> 90-4-11-01	
<b>1. TYPE OF ACTION</b> <input type="checkbox"/> PREAPPLICATION <input checked="" type="checkbox"/> APPLICATION <input type="checkbox"/> NOTIFICATION OF INTENT (Dpt.) <input type="checkbox"/> REPORT OF FEDERAL ACTION		<b>a. NUMBER</b> <b>b. DATE</b> Year month day 19		<b>b. DATE ASSIGNED</b> Year month day 1984 10 22			
<b>4. LEGAL APPLICANT/RECIPIENT</b> a. Applicant Name: State of Washington b. Organization Unit: Dept. of Ecology c. Street/P.O. Box: Mail Stop PV-11 d. City: Olympia e. County: Thurston f. State: WA g. ZIP Code: 98504 h. Contact Person (Name & telephone No.): Lynda L. Brothers (206)459-6253				<b>5. FEDERAL EMPLOYER IDENTIFICATION NO.</b> 6. PROGRAM (From Federal Catalog) a. NUMBER: 1616181012 b. TITLE: Hazardous Substances Response Trustfund			
<b>7. TITLE AND DESCRIPTION OF APPLICANT'S PROJECT</b> Forward Planning for Midway, Northside, Greenacres landfills.				<b>8. TYPE OF APPLICANT/RECIPIENT</b> A - State B - Interstate C - Suburban D - County E - City F - School District G - Special District H - Community Action Agency I - Higher Educational Institution J - Indian Tribe K - Other (Specify): Enter appropriate letter <input checked="" type="checkbox"/> A			
<b>10. AREA OF PROJECT IMPACT (Name of cities, counties, States, etc.)</b> Spokane & King Counties				<b>11. ESTIMATED NUMBER OF PERSONS BENEFITING</b>		<b>12. TYPE OF APPLICATION</b> A - New B - Renewal C - Revision D - Continuation E - Augmentation Enter appropriate letter <input checked="" type="checkbox"/> C	
<b>13. PROPOSED FUNDING</b> a. FEDERAL \$ 60,000 .00 b. APPLICANT .00 c. STATE .00 d. LOCAL .00 e. OTHER .00 f. TOTAL \$ 60,000 .00		<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. APPLICANT b. PROJECT <b>16. PROJECT START DATE</b> Year month day 19 84 11 15 <b>17. PROJECT DURATION</b> 3 Months		<b>15. TYPE OF CHANGE (For 12 c or 12 d)</b> A - Increase Dollars B - Decrease Dollars C - Increase Duration D - Decrease Duration E - Cancellation F - Other (Specify): Enter appropriate letter(s) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<b>18. ESTIMATED DATE TO BE SUBMITTED TO FEDERAL AGENCY</b> Year month day 19 84 11 6				<b>19. EXISTING FEDERAL IDENTIFICATION NUMBER</b> V-000283-02			
<b>20. FEDERAL AGENCY TO RECEIVE REQUEST (Name, City, State, ZIP code)</b> U.S. Environmental Protection Agency						<b>21. REMARKS ADDED</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>22. THE APPLICANT CERTIFIES THAT:</b> a. To the best of my knowledge and belief, data in this preapplication/application are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is approved. b. If required by OMB Circular A-95 this application was submitted, pursuant to instructions therein, to appropriate clearinghouses and all responses are attached: (1) State Clearing House (2) (3)		<b>23. CERTIFYING REPRESENTATIVE</b> a. TYPED NAME AND TITLE Donald W. Moos, Director b. SIGNATURE [Signature] Asst. Dir. CMB		<b>c. DATE SIGNED</b> Year month day 19 84 11 17			
<b>24. AGENCY NAME</b>						<b>25. APPLICATION RECEIVED 19</b> Year month day	
<b>26. ORGANIZATIONAL UNIT</b>						<b>27. ADMINISTRATIVE OFFICE</b>	
<b>29. ADDRESS</b>						<b>28. FEDERAL APPLICATION IDENTIFICATION</b>	
<b>30. FEDERAL GRANT IDENTIFICATION</b>						<b>31. ACTION TAKEN</b> <input type="checkbox"/> a. AWARDED <input type="checkbox"/> b. REJECTED <input type="checkbox"/> c. RETURNED FOR AMENDMENT <input type="checkbox"/> d. DEFERRED <input type="checkbox"/> e. WITHDRAWN	
<b>32. FUNDING</b> a. FEDERAL \$ .00 b. APPLICANT .00 c. STATE .00 d. LOCAL .00 e. OTHER .00 f. TOTAL \$ .00		<b>33. ACTION DATE</b> Year month day 19				<b>34. STARTING DATE</b> Year month day 19	
		<b>35. CONTACT FOR ADDITIONAL INFORMATION (Name and telephone number)</b>				<b>36. ENDING DATE</b> Year month day 19	
<b>38. FEDERAL AGENCY A-95 ACTION</b>		<b>a. In taking above action, any comments received from clearinghouses were considered. If agency response is due under provisions of Part 1, OMB Circular A-95, it has been or is being made.</b>				<b>b. FEDERAL AGENCY A-95 OFFICIAL (Name and telephone no.)</b>	
<b>37. REMARKS ADDED</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							

424-102

STANDARD FORM 424 PAGE 1 (Rev. 4-77)  
Prescribed by OMB Circular A-102

USEPA SF



1394538



PART III—BUDGET INFORMATION

SECTION A—BUDGET SUMMARY

GRANT PROGRAM, FUNCTION OR ACTIVITY (a)	FEDERAL CATALOG NO. (b)	ESTIMATED UNOBLIGATED FUNDS		NEW OR REVISED BUDGET		
		FEDERAL (c)	NON-FEDERAL (d)	FEDERAL (e)	NON-FEDERAL (f)	TOTAL (g)
1. MSCA - Forward Planning	66-802	\$	\$	\$ 60,000	\$	\$ 60,000
2.						
3.						
4.						
5. TOTALS		\$	\$	\$ 60,000	\$	\$ 60,000

SECTION B—SCHEDULE A BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				TOTAL (5)
	(1)	(2)	(3)	(4)	
a. Personnel	\$ 4,924.00	\$	\$	\$	\$ 4,924.00
b. Fringe Benefits	1,132.00				1,132.00
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual	51,553.00				51,553.00
g. Construction					
h. Other					
i. Total Direct Charges					
j. Indirect Charges	2,391.00				2,391.00
k. TOTALS	\$ 60,000.00	\$	\$	\$	\$60,000.00
7. Program Income	\$	\$	\$	\$	\$

SECTION 8 - SCHEDULE B - BUDGET CATEGORIES

6. Program Elements	FUNDING			(4) MAN- YEARS
	(1) FEDERAL	(2) NON-FEDERAL	(3) TOTAL	
a. Forward Planning	\$ 60,000.00	\$	\$ 60,000.00	
b.				
c.				
d.				
e.				
f.				
g.				
h.				
i. Total Program Elements	\$ 60,000.00	\$	\$ 60,000.00	
j. STATE TOTAL	\$	\$	\$	

**SECTION C—NON-FEDERAL RESOURCES**

(a) GRANT PROGRAM	(b) APPLICANT	(c) STATE	(d) OTHER SOURCES	(e) TOTALS
8.	\$	\$	\$	\$
9.				
10.				
11.				
12. TOTALS	\$	\$	\$	\$

**SECTION D—FORECASTED CASH NEEDS**

	TOTAL FOR 1st YEAR	1st QUARTER	2nd QUARTER	3rd QUARTER	4th QUARTER
13. Federal	\$ 60,000.00	\$ 60,000.00	\$	\$	\$
14. Non-Federal					
15. TOTALS	\$ 60,000.00	\$ 60,000.00	\$	\$	\$

**SECTION E—BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT**

(a) GRANT PROGRAM	FUTURE FUNDING PERIODS (YEARS)			
	(b) FIRST	(c) SECOND	(d) THIRD	(e) FOURTH
16.	\$	\$	\$	\$
17.				
18.				
19.				
20. TOTALS	\$	\$	\$	\$

**SECTION F—OTHER BUDGET INFORMATION**  
(Attach Additional Sheets If Necessary)

21. Direct Charges:

22. Indirect Charges: Administrative costs for WDOE 48.56%.

23. Remarks:

## PROJECT NARRATIVE STATEMENT

### I. Background

The purpose of this application is to obtain funding for the Washington State Department of Ecology (WDOE) to serve as the lead management agency for forward planning activities at one hazardous waste site that is included on the National Priorities List (NPL), and two sites that have been proposed for the list. The state and the U.S. Environmental Protection Agency (EPA) have agreed that the state will take the lead at Midway, Greenacres, and Northside Landfills. Greenacres was included on the NPL in September 1984. Midway and Northside have been scored in accordance with the Hazard Ranking System established in the National Contingency Plan and were formally proposed in the Federal Register for inclusion to the NPL in October, 1984.

### II. Statement of Work

The program for remedial action at the 1984 sites has been divided into two phases: Phase I, Forward Planning, and Phase 2, Remedial Investigation/Feasibility Study.

#### A. Phase I Forward Planning

The forward planning phase will assist WDOE in the preparation of the scopes of work, proposed budgets and preparation of a cooperative agreement amendment application for RI/FS's on Midway, Northside and Greenacres Landfills.

##### 1. Task 1 - Development of RI/FS Scope of Work

WDOE will be the lead agency for conducting/managing RI/FS activities on three sites. The sites to be addressed are:

<u>Site Name</u>	<u>Location</u>	<u>Description</u>
Midway Landfill	Kent, City of	Solvents/Heavy Metals
Greenacres Landfill	Spokane County	Solvents
Northside Landfill	Spokane, City of	Solvents

The WDOE, and its contractors, working closely with EPA, will prepare a Statement of Work (SOW) to support a request for funds to conduct an RI/FS for each of the listed sites. In scoping the individual RI/FS projects, WDOE will be guided by EPA's Model Statement of Work for Remedial Investigation/Feasibility Study (Appendix E of "State Participation in the Superfund Remedial Program").

The SOW will be based on an evaluation of available data and will identify, to the extent possible, additional data needs

and potential administration on proposed problems that may affect project implementation.

2. Task 2 - Development of Budget Requirements

Based on Task 1, a proposed project budget will be prepared to be included in a cooperative agreement application for RI/FS funding.

3. Task 3 - Preparation of Amendment Application

When WDOE and EPA have reached agreement on the Statement of Work and budget requirements for each site, WDOE will prepare and submit a cooperative agreement amendment application to obtain RI/FS funding for the three sites.

B. Phase 2 Remedial Investigation/Feasibility Study

Phase 2 will begin after the forward planning phase has been completed. An initial step in Phase 2 will be the preparation of a detailed work plan for each of the sites. The work plans will be based on the previously prepared Statements of Work and proposed budgets.

BUDGET BREAKDOWN  
 FORWARD PLANNING ACTIVITIES  
 MIDWAY, NORTHSIDE, GREENACRES LANDFILLS

Personnel Costs - WDOE oversight of contractor(s) and preparation of the cooperative agreements.

<u>Position Title</u>	<u>Annual Salary</u>	Man-Years <u>Site</u>	<u>Cost/Site</u>
WDOE Contract Officer	\$27,360	.06/site	\$1,641/ site
		Total Personnel Costs	\$4,924
		Fringe Benefits	\$1,132
		Indirect Costs	<u>\$2,391</u>
			\$8,447
		Contractual Costs to Complete Tasks 1,2,3	<u>\$51,553</u>
		TOTAL	\$60,000



# OFFICE OF THE ATTORNEY GENERAL

Ken Eikenberry, Attorney General

Temple of Justice, Olympia, Washington 98504

November 8, 1984

Mr. Donald W. Moos  
Director  
Department of Ecology  
MS PV-11  
Olympia, WA 98504

Re: Cooperative Agreement Between U.S. Environmental  
Protection Agency and State of Washington --  
Forward Planning for Midway, Northside, and Green-  
acres Landfills

Dear Director Moos:

This letter is written in response to your staff's October 17, 1984 memorandum concerning the Midway, Northside, and Greenacres landfills, plus the Ponders Corner "Superfund" projects. The question asked, as we understand it, is whether the Department of Ecology has authority to enter into the draft cooperative agreement presented with the memorandum of October 17, 1984. We answer this question in the affirmative, subject to the analysis below. We must add that this letter represents our personal opinions and does not purport to be a formal opinion of the Attorney General's office.

The October 17, 1984 cooperative agreement (which amends a prior agreement) which we have reviewed provides, in essence, for funding for the state to carry out remedial investigations/feasibility studies at the Superfund sites identified above. The agreement, as it pertains to the Ponders Corner site, provides that costs incurred by the Department of Ecology may be funded by the EPA insofar as those costs are for designated management assistance activities.

A cooperative agreement is authorized by the following Washington statutes. RCW 43.21A.440 provides that:

The Department of Ecology is authorized to participate fully in and is empowered to administer all programs of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), as it exists on the effective date of this act, contemplated for state participation and administration under that act.

RCW 70.105A.060(2) and 70.105A.060(3), which provide that:

The department is authorized to participate in and is empowered to carry out all programs of the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 contemplated for state participation or administration under that act.

In relation or addition to the powers set forth in this section and any other provisions of this code, the department is empowered, with regard to the regulation, control, or removal of hazardous substances and wastes, as follows:

(a) To coordinate responses to hazardous substances accident and spill incidents;

(b) To respond to, direct, or initiate cleanup of hazardous substances, accidents and spills, and hazardous waste sites;

(c) To conduct or contract for professional technical data gathering and analysis and damage assessment; and

(d) To conduct or contract for the removal of hazardous substances and wastes where there has been or is a potential for release, regardless of quantity or concentration, which could pose a threat to public health or the environment.

And see, RCW 70.105A.010(2)(d) and 70.105A.010(2)(f), which provide that:

The purposes of this chapter are, among others: . . .

(d) to provide for the cleanup and restoration of those sites within the state at which improper disposal of hazardous waste has occurred, resulting in the potential for deleterious impacts on the health and welfare of the citizens of the state,

as well as the state's natural, environmental, and biological systems, (e) to provide for funding to study, plan, and undertake the rehabilitation, removal, and cleanup of hazardous waste deposited improperly at sites located within the state, and (f) to provide funds for matching purposes for participation in the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980.

We trust that this memo is of some assistance to you. We would be pleased to provide further assistance in this matter at your request.

Very truly yours,

*Charles B. Roe Jr. by CKD, AAG*  
Charles B. Roe, Jr.  
Senior Assistant Attorney General  
(206)459-6162

*Charles K. Douthwaite*  
Charles K. Douthwaite  
Assistant Attorney General  
(206)459-6155

CKD:sc